

Attorney Docket # 33900-56PUS

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 3

In re National Phase PCT Application of

Paul A. MULLER (deceased)

Serial No.: 09/403,329

Filed: October 15, 1999

For: A Method And Device For Making A  
Container Provided With A Label**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)****BOX PCT**Assistant Commissioner for Patents  
Washington, D.C. 20231

01/10/2000 PVOLPE 00000031 09403329

01 FC:154

130.00 OP

S I R:

In order to complete the filing of missing parts for the above-identified application,  
applicant submits herewith the following:

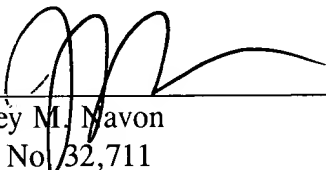
- ☒ Executed Declaration and Power of Attorney  
(executed by the legal representative of the deceased sole inventor in accordance with 37 C.F.R. 1.497(a) and (b) and § 1.42)
- ☒ Check in the amount of \$130.00 to cover the late filing of the declaration
- ☐ Assignment of the invention to
- ☐ Recordation cover sheet - PTO Form 1595
- ☐ Check in the amount of \$40.00 to cover the recordation fee
- ☐ Verified translation of the application into English  
(a processing fee is required if filed later than 20 or 30 months from the priority date).
- ☐ Check in the amount of \$130.00 to cover the processing fee for providing  
the translation of the application.

- ☐ Revised Drawing as requested.
- ☒ Certificate from the court of Monaco, certifying that Colette Mueller is the inventor's legal representative, and an English translation of the certificate, in accordance with 37 C.F.R. § 1.44 and M.P.E.P. § 409.01
- ☒ Copy of form PCT/DO/EO/905
- ☐ According to our records, we have not yet received form PCT/DOE0905.

If there are any additional fees that may be required at this time, the same may also be charged to Deposit Account No. 03-2412.

Respectfully submitted,  
COHEN, PONTANI, LIEBERMAN & PAVANE

By: \_\_\_\_\_

  
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Dated: 27 December 1999



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

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No. EL331511855US

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/403329	MULLER P	33900-56PUS
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I.A. FILING DATE	PRIORITY DATE	
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**DOCKETED**  
2 Jan 00

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.☒ Copy of the international application in:

- ☒ a non-English language.  
☐ English.

☒ Translation of the international application into English.☐ Oath or Declaration of inventors(s) for DO/EO/US.☐ Copy of Article 19 amendments.☐ Translation of Article 19 amendments into English.☒ The International Preliminary Examination Report in English and its Annexes, if any.☐ Translation of Annexes to the International Preliminary Examination Report into English.☒ Preliminary amendment(s) filed 15 OCT 99 and                     .☐ Information Disclosure Statement(s) filed                      and                     .☐ Assignment document.☐ Power of Attorney and/or Change of Address.☐ Substitute specification filed                     .☐ Verified Statement Claiming Small Entity Status.☒ Priority Document.☒ Copy of the International Search Report ☒ and copies of the references cited therein.☐ Other:2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$                      as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response***

Enclosed:

☐ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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12/31/99